IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.3155 OF 2004

Bank of India ....Plaintiff
V/s.
M/s.E.R. Manda & Co. & Anr. ....Defendants

Mr.Jose George for the Plaintiff.
None for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH DECEMBER, 2005.

P.C. :

1. The suit is a usual bank suit to recover the amounts under a temporary over draft facility granted to the Defendants.

2. The Plaintiff has filed the compilation of the original documents. The same is taken on record and marked Exhibit "A" collectively.

3. The suit is based on promissory note. The Defendant has also executed various other documents. The Defendants have also admitted the liability in writing.

4. There is no appearance. There is no written

statement. There is no reply to the Plaintiff's advocate notice demanding payment. There is nothing on record that militates against the Plaintiff's claim. This is a fit case where the averments and the submissions in the plaint ought to be accepted as correct.

5. In the circumstances, the suit is decreed in the sum of Rs.4,23,914/- together with interest on Rs.3,19,291/- at the rate of 12% p.a. from the date of filing of the suit till payment and/or realisation.

. Refund as per rules.